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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/692,462

10/23/2003

Clayton Kittrell

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EXAMINER

MCFADDEN, SUSAN IRIS

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

06/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/692,462

Applicant(s)

KITTRELL ET AL.

Examiner

Susan McFadden

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 21- 22 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satapathy et al (7,089,280) in view of Sneh (6,266,635).

In regard to claims 1-5 and 15-17, Satapathy et al. show in Figure 1, a system and method comprising: a database, which could be a relational database (item 40); capturing a voice recording (item 20), an interface code segment operable to receive identification of information to be signed (item 45, col. 5, ln 15-30), wherein the voice signature system is operable to create a voice signature using the voice recording and an electronic copy inherently accessed by a network interface card(item 15) of the identification of information to be signed (claim 4), which could inherently be a title of an agreement (col. 5). Satapathy et al. show that phone numbers are stored (col. 5) but do not specifically show that a phone number can be called. Sneh show a system and method that can store and send voice information to various phone numbers (claim 18). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to combine these references because they provide a system that can verify documents by voice and send them to other places.

In regard to claims 6,12, and 18, Satapathy et al show in Fig. 1, that the signature process code activates an interactive voice response system to capture a voice recording (items 20,45).

In regard to claims 7-11, Satapathy et al show in Fig. 1, a method for creating voice signatures comprising: receiving an identification of information (an electronic copy of a title) to be signed (item 45); creating a voice recording of at least a portion of the a call (col. 5, ln 15-30); and creating a voice signature using the identification of information to be signed and the voice recording (col. 5). Satapahty et al. do not show placing an outbound call to the phone number inherently using a PSTN. Sneh show a system and method that can store and send voice information to various phone numbers (claim 18). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to combine these references because they provide an improved autonomous system (col. 1, ln 39-41).

In regard to claim 13, Satapathy et al. show the system and method discussed above. They do not specifically show providing a message to be read during the outbound call to the phone number; and using voice recognition on the voice recording to determine if the message was read during the outbound call to the phone number. Sneh show a system and method that can allows messages to be read and voice recognized (claim 16). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to combine these references because they provide a system that can verify documents by voice.

In regard to claim 14, Satapathy et al. show the system and method discussed above. They do not specifically show performing voiceprint analysis on the voice recording to determine a speaker. Sneh show a system and method that can recognizes voices (claim 1). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to combine these references because they provide an interactive voice system (col. 1, ln 35-37).

3. Claims 19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru (6,400,806).

In regard to claims 19 and 21, Uppaluru show in Figure 2A, a system and method comprising: a web page to receive a document to be signed (item 203); a web page to receive a telephone number (item 111); and a script (col. 6, ln 61-67), wherein the voice recording is used to form a voice signature (col. 1, ln 10-20). Uppaluru does not specifically show that the server side script (col. 6, ln 61-67) calls the telephone number and makes a voice recording. The Examiner takes Official Notice that one would know how to program scripts so that they can forward the desired information. Therefore, it would be obvious to one of ordinary skill in the art to add this information because it provides an efficient voice system (col. 1, ln 20-22).

In regard to claim 22, Uppaluru shows that the voice signature includes the document to be signed, the telephone number, and the voice signature (personal profile, Fig. 2A, item 204, col. 2, ln 58-68).

Allowable Subject Matter

4. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

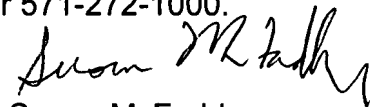
5. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record Uppaluru (6,400,806) shows that it is well known to have a plurality of web pages that can be authorized. In regard to claim 20, the prior art of record does not show or suggest that the web page to receive a document to be signed and the web page to receive a telephone number are the same web pages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan McFadden whose telephone number is 571-272-7621. The examiner can normally be reached on Monday-Friday, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Susan McFadden
Primary Examiner
Art Unit 2626

June 21, 2007